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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT
DIVISION FIVE

CHENG CHENG SU,

Plaintiff and Appellant,

A096616

v.

**(Alameda County
Super. Ct. No. 832149-5)**

CAROL HANSON,

Defendant and Respondent.

_____/

Cheng Cheng Su appeals from a judgment entered after the trial court ruled against her in a defamation action. She contends the court committed numerous errors. We will reject appellant's arguments and affirm the judgment.

I. FACTUAL AND PROCEDURAL BACKGROUND

The facts of this dispute are unclear. Appellant has not provided a reporter's transcript so we can only guess at the precise basis for the underlying suit. As best as we can tell, appellant lives in a condominium complex in Berkeley. Respondent Carol Hanson is the president of the condominium homeowners' association.

In October 2000, appellant filed a complaint against Hanson alleging she had defamed her by telling various people, falsely, that appellant owed the association money. According to appellant, by doing so, Hanson "sent out the unusual frequency from [her] mouth and transmitted [it] through the air Consequently, it stimulated [appellant's] nerve system and formed '[d]yspepsia' in [appellant's] liver."

The case proceeded to a court trial before the Honorable Horace Wheatley of the Alameda County Superior Court. Judge Wheatley heard two days of testimony and then rendered a judgment and statement of decision in favor of Hanson. According to the statement of decision, appellant “failed to prove by a preponderance . . . of the evidence facts sufficient to prove any of the causes of action set forth in the complaint. Plaintiff alleges that defendant defamed her to Kelvine Mah in February, 1999, yet Kelvine Mah was not called to testify as a witness, and the evidence was totally lacking in this regard. Plaintiff alleges that defendant defamed her to James Lee in February, 2000, yet James Lee, called as a witness by plaintiff, testified to the contrary, and plaintiff’s evidence was totally lacking in this regard. Plaintiff alleges that defendant defamed her to members of the Dwight Place Homeowners Association in May, 2000, yet the only member of the Association called as a witness (James Lee) offered no proof in support of this allegation”

This appeal followed.

II. DISCUSSION

Appellant contends the judgment must be reversed. She has quoted various portions of Judge Wheatley’s statement of decision and then presents a brief argument about why that statement was legally faulty.¹

We reject all of appellant’s arguments for the following four reasons.

First, appellant’s arguments are unintelligible. “An appellate court is not required to examine undeveloped claims, nor to make arguments for parties.” (*Paterno v. State of California* (1999) 74 Cal.App.4th 68, 106.)

Second, to the extent we can understand appellant’s arguments, they are, in essence, a challenge to the sufficiency of the evidence to support the judgment. However

¹ For example, one of appellant’s arguments states, “Judge Wheatley said, . . . ‘Plaintiff has failed to prove by a preponderance or greater weight of the evidence facts sufficient to prove any of the causes of action set forth in the complaint’ is appealable. This is because Defendant acted as bad in faith, violated the Bylaw of the DPHOA, refused to adopt the modern and economic management system and misused the power of president of DPHOA.”

appellant has not provided this court with a reporter's transcript that would allow us to evaluate the claims she has made. Under well-settled legal authority, because appellant has not provided a reporter's transcript, she cannot challenge the sufficiency of the evidence on appeal. (*Estate of Fain* (1999) 75 Cal.App.4th 973, 992.)

Third, appellant has failed to cite legal authority to support the arguments she has made. When a brief fails to contain a legal argument with citation of authorities, we may treat the arguments as waived or abandoned. (*Ellenberger v. Espinosa* (1994) 30 Cal.App.4th 943, 948.)²

Fourth, even if we were to conclude the trial court erred in some respect, we would not reverse. An appellant may not obtain a reversal simply by pointing out legal error. She must, in every case, show the claimed error is prejudicial; i.e., that it has resulted in a miscarriage of justice. (*In re Marriage of McLaughlin* (2000) 82 Cal.App.4th 327, 337.) Here, appellant has failed to show how any of the various errors she has alleged caused her prejudice. Absent such argument, we must presume the various errors were harmless.

III. DISPOSITION

The judgment is affirmed.

Jones, P.J.

We concur:

Stevens, J.

Gemello, J.

² Appellant's brief contains a few scattered legal citations. Appellant has not, however, made any attempt to explain the relevance of the authority she cites or how that authority might support the legal arguments she makes. We conclude the waiver rule is fully applicable under these circumstances.